

HAMILTON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 12, 2001

The Hamilton County Board of Commissioners met on Monday, February 12, 2001 at 1:00 p.m. in the Commissioners Courtroom at the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Executive Session was held from 1:00 p.m. to 1:45 p.m. President Dillinger called the meeting to order at 1:45 p.m. A quorum was declared of Commissioner Steven A. Holt, Commissioner Sharon R. Clark and Commissioner Steven C. Dillinger. The Pledge of Allegiance was recited.

Approval of Minutes: (Tape 1, #30)

Holt motioned to approve the minutes of January 22, 2001 and January 29, 2001. Clark seconded. Motion carried unanimously.

Executive Session Memoranda:

Holt motioned to approve the Executive Session Memoranda of February 12, 2001. Clark seconded. Motion carried unanimously.

Highway Business:

Open Road Cut Permits:

Mr. Locke requested approval of an Open Road Cut Permit: 1) P2001045 - 106th Street East & West of College for Hamilton County project - water main test holes for Indianapolis Water Company. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested acceptance of Bonds and Letters of Credit for the Highway Department: 1) HCHD #B93-0005 - Continuation Certificate for Peerless Insurance Company Bond #250-0022 issued for Tom E. Strong Excavating, Inc. in the sum of \$25,000 to now expire 1/8/02. 2) HCHD #B95-0016 - Continuation Certificate for Fidelity and Deposit Company Bond 30670460 issued for Swinney Brothers Excavating, Inc. in the sum of \$25,000 to now expire 1/30/02. 3) HCHD #B99-0113 - Continuation certificate for Amwest Surety Insurance Company Bond #1309563 issued for Cruz-Cell, Inc. in the sum of \$25,000 to now expire 2/22/01. 4) HCHD #B01-0001 - Western Surety Company Permit Bond No. 929170433 issued for Tramco, Inc. of Indianapolis in the sum of \$5,000 for a temporary drive permit at 9800 N. Ditch Road, Carmel to expire January 22, 2002. 5) HCHD #B01-0002 - Mid-State Surety Corporation Permit Bond No. 202700 issued for GPD Services, Inc. in the sum of \$5,000 for a utility pull-off drive to expire January 19, 2002. 6) HCHD #B01-0003 - Ohio Casualty Insurance Company Bond #3-663983 issued for B.W.I. Investments in the sum of \$15,000 for a private roadway approach to expire 1/1/02. 7) HCHD #B01-0004 - Ohio Farmers Insurance Company Bond No. 5883549 issued for JDH Contracting, Inc. in the sum of \$25,000 to expire 1/29/02 to do service connection in right-of-way. 8) HCHD #B01-0005 - Ohio Farmers Insurance Company Bond No. 5877812 issued for DR Watson Co., Inc. in the sum of \$25,000 for water line installation to expire 1/24/02. 9) HCHD #B01-0006 - Fidelity and Deposit Company Permit Bond #08536872 issued for Ryan Fireprotection, Inc. in the sum of \$10,000 to work from the centerline south on 106th Street just west of the intersection of Westfield Blvd., to expire 1/29/02. 11) HCHD #B01-0008 - Fidelity and Deposit Company Subdivision Bond #8527687 issued for Two Gaits Development Company in the sum of \$70,170.82 for stone base, HAC binder, HAC surface, concrete curbs, street name and regulatory signs at Village Farms, Section 18, to expire 2/1/02. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested the release of a Bond for the Highway Department: 1) HCHD #B00-0106 -

Continental Casualty Company Permit Bond No. 929 142 770 issued for Tramco, Inc. in the sum of \$5,000 for Permit #P-00-0514 for a temporary drive permit at 9800 N. Ditch Road. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Agreements:

Bridge #82 Agreement:

Mr. Locke requested approval of an agreement, HCHD #M-01-0008 between Hamilton County, Indiana Department of Transportation, the Federal Highway Administration and the State Historic Preservation Officer regarding the demolition and replacement of Bridge #82. Mr. Locke stated the original agreement was not acceptable to the State Historic Preservation Officer. Mr. Matt Knight stated the State Historic Preservation Officer added a requirement for us to provide historic documentation to a local historic preservation society and that we would design the new bridge rail to resemble the old bridge rail. Holt would like to track the cost difference of the rails for possible use on other county bridges. Holt motioned to approve the modified agreement with the State on Bridge #82. Clark seconded. Motion carried unanimously.

256th Street Road Improvement:

Mr. Locke requested approval of agreement HCHD #M-01-0010 with Hamilton Heights School District to improve the roadway of 256th Street from the railroad tracks to SR 19 in Jackson Township. Hamilton Heights is contributing \$56,251 and Hamilton County is contributing approximately \$105,000. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Utility Agreements:

Bridge #46 Utility Agreement:

Mr. Locke requested approval of Utility Agreement HCHD #M-01-0006 between Hamilton County and PSI Energy, Inc. for Bridge #46, Casey Road over a branch of Little Eagle Creek. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Bridge #156 Utility Agreement:

Mr. Locke requested approval of Utility Agreement HCHD #M-01-0005 between Hamilton County and Ameritech and Utility Agreement HCHD #M-01-0004 between Hamilton County and Indiana Gas for Bridge #156, 110th Street over Carmel Creek. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #46 Supplemental Agreement No. 2:

Mr. Locke requested approval of Supplemental Agreement No. 2, HCHD #E98-0020 with Woolpert LLP for Bridge #46, Casey Road over Little Eagle Creek. The scope of the project is substantially bigger and we need additional construction, inspection and testing money. We are asking for a supplement in the amount of \$6,950. Mr. Knight stated the size of the bridge is bigger than we initially anticipated when we signed the original agreement. There is a second structure we are replacing along with this structure. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #103 Supplement Agreement No. 3:

Mr. Locke requested approval of Supplemental Agreement No. 3, HCHD #E97-0030, with Woolpert LLP for Bridge #103, 216th Street over Jones Ditch. We are requesting an additional \$7,800 for construction inspection. Holt motioned to approve. Clark seconded. Mr. Knight stated the bridge is a bigger project than we anticipated. The length of the bridge is longer and there is a lot of approach work because it is in a valley. Motion carried unanimously.

Bridge #255 Engineering Agreement:

Mr. Locke requested approval of Engineering Agreement, HCHD #E01-0001, with First Group Engineering, Inc. for Bridge #255, Six Points Road over Teter Brook. The agreement is in the amount of \$82,500. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #168 Engineering Agreement:

Mr. Locke requested approval of Engineering Agreement, HCHD #E01-0002, with Beam Longest and Neff, LLC for Bridge #168, 1116th Street over Mud Creek. This is the bridge we are working with the Town of Fishers. We are doing the design of the bridge. All approach work will be done by the Town of Fishers. They will do the construction inspection. Fishers says they have the right-of-way in place to install this bridge. We are designing this in a manner that 116th Street should be left open for a two phase construction. The agreement is in the amount of \$104,300. Holt motioned to approve. Clark seconded. Holt asked if they would look at decorative rail? Mr. Knight stated we looked at Texas rail. Holt asked if we could give them both designs and let Fishers pick? Mr. Locke stated he sees no problem with that. Dillinger asked if we have funding for this bridge? Mr. Locke stated the County Council did approve funding for the engineering portion of this project. The council tabled the construction portion to a later meeting. Dillinger stated that is not the feeling of this Board, we have tried to work with municipalities to meet their goals and deadlines. Mr. Stevens stated we are starting the process of re-working our five year bridge management program to reflect this bridge as a priority. Clark asked if we know that this bridge will make a difference in our five year plan? Mr. Stevens stated our preliminary overview is that it will not make a great difference. There will be a bridge or possibly two bridges that are scheduled for construction, maybe three years down the road, will have to be delayed a year. Clark asked if this effects anything we are doing now? Mr. Stevens stated it will not have a tremendous impact on anything we are doing within the next two years. Motion carried unanimously.

Bid Opening:

Sheriff's Annual Gasoline Bid: (Tape 1, #555)

Mr. Michael Howard opened the Annual Gasoline Bids for the Sheriff's Department. 1) Hamilton County Co-op - .16 cents above rack price. Form 95 and Bid Bond were included. This was the only bid received. Mr. Howard recommended the bid be forwarded to the Sheriff for review and recommendation at the next meeting. Holt motioned to approve. Clark seconded. Motion carried unanimously.

146th Street/US 31 Ramps Project Agreement:

Mr. Locke requested approval of Agreement HCHD #E-01-0003 with American Consulting Engineers for the 146th Street/US 31 Ramps Project. This is for additional studies that INDOT is requiring to approve the independent utility of the northbound ramps from SR 431 as well as a study for 146th Street to northbound US 31. The cost of the northbound off-ramp from SR 431 is \$5,252 and the cost to study for the northbound loop ramp is \$7,409. Mr. Howard stated we believe the northbound ramp from Keystone to 146th Street is a project that can be approved through interlocal agreement. There are serious reservations of the loop ramp from 146th Street to northbound US 31. Looking at the proposed traffic counts for Keystone to 146th Street is 7,000 per day. The loop ramp is 1,000. Since that movement can be handle through other means, primarily right hand turns, the consensus of everybody to adopt that solution as an interim solution. Mr. Howard asked Mr. Locke what his feelings were on the loop. Mr. Locke stated the loop is something we should try and pursue but let's not tie up the northbound ramp at this time. We need to go with the northbound ramp. Clark stated it makes more sense to address it when it looks more positive. Mr. Locke stated without this study it will never look more positive. Holt motioned to proceed with both studies. Clark seconded. Motion carried unanimously.

Acceptance of Streets: (Tape 1, #762)

English Oaks Subdivision:

Mr. Locke requested acceptance of streets in English Oaks Subdivision, North of 106th Street/East of Shelborne Road in Clay Township for a total of 0.41 miles accepted. Holt motioned to approve. Clark

seconded Motion carried unanimously.

Highway Employees:

Mr. Locke introduced new highway department employees: Mike McBride, Small Structure Staff Engineer and Dustin Teachnor, Highway Assets Manager.

Concurrence with Traffic Studies:

Mr. Locke requested concurrence with correspondence of traffic studies. Holt motioned to approve. Clark seconded. Clark asked how wide is the road? Mr. Locke stated 18' from SR 32 to 186th Street, from 186th Street to 196th Street is 16' and from 196th Street to 206th Street is 15'. Clark asked if you have recommended 45 mph? Mr. Locke stated yes. Dillinger and Holt approved. Clark opposed. Motion carried.

Regulatory Signs:

English Oaks Subdivision Regulatory Signs:

Mr. Locke requested approval of regulatory signs in the English Oaks Subdivision. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Plat Approval:

Village Farms, Section 18: (Tape 1, #1007)

Mr. Eric Simmons, Wilfong Land Companies, requested approval of the plat for Village Farms, Section 18. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Regulatory Signs:

Joliet Road from SR 32 to 186th Street:

Mr. Locke requested approval of regulatory signs on Joliet Road from SR 32 to 186th Street in Washington Township. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Acceptance of Right-of-Way:

Fletcher Estates Exempt Plat:

Mr. Locke requested acceptance of right-of-way for the Fletcher Estates Exempt Plat from Creston K. Stokes, Linda Ann Powell, William A. Stokes. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Grimes Estate Exempt Plat:

Mr. Locke requested acceptance of right-of-way for the Grimes Exempt Plat from Glenda Grimes. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Springmill/Six Points Alignment Study:

Mr. Locke requested approval to proceed with the Springmill Road/Six Points Road Alignment Study. Holt motioned to approve. Clark seconded. Dillinger and Holt approved. Clark abstained. Motion carried.

Permission to Advertise:

Resurface Contract 01-1 and Contract 01-02:

Mr. Locke requested permission to advertise for Resurface Contract 01-1, various roads in Clay Township and Resurface Contract 01-2, various roads in Clay and Delaware Townships. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bid Award:

Lamong Road House Demolition:

Mr. Locke requested approval of the bid award for the demolition of the house at 2310 W. 236th Street/Lamong Road Project. We received quotes from three contractors for the demolition: 1) ABC Contractors, Inc. - \$14,000; 2) 2M Contracting Corporation - \$16,000 and North American Construction Company - \$17,300. Mr. Locke recommends ABC Contractors, Inc. be awarded the contract. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Highway Funding:

Mr. Locke presented information on Indiana House Bill 1811 regarding highway funding. The State Legislative Committee met on roads and transportation with 300 people present to support the bill. This bill will improve the amount of dedicated continuous funding to local roads. We are seeing a \$700,000 decrease in this year's budget, we will see a \$1.4 million decrease in next year's budget. We don't see that the special appropriation will be done this year as it has been done in the past. House Bill 1811 redirects fuel sales tax to roads and a 3% user fee increase. Indiana LTAP shows a \$2 billion deficit for local roads statewide to bring them up to standard. It shows about a \$450 million deficit every year to maintain those roads at their current level. This does not include a lot of road improvements like Hamilton County has been doing. Mr. Locke stated Senate Bill 0258 has been introduced by Senator Kenley which will have a hearing tomorrow morning. This bill does not add the 3% user fees on to each gallon of gas, it redistributes the state gas tax. We would still see a substantial reduction if that is the only change that is made. Clark asked if it would be a benefit for this Board to support either or both of these bills? Mr. Locke stated you could do it as a Board or if each of you could talk to the legislator involved in the Local Road and Street Committee and the Ways and Means Committees.

MetroXmit Permit Request: (Tape 1, #1621)

Mr. Howard stated the he and the Highway Department are getting many requests regarding installing fiber optics in county right-of-ways. We believe MetroXmit should receive a Utility Franchise Agreement. MetroXmit has been listed as a utility by the IURC, therefore under 82128 they do have the authority, subject to the permit process to locate in right-of-way. Mr. Howard stated they have applied for permits. Mr. Locke stated these are issues that should be addressed in our permit manual and not on a utility basis.

Road/Bridge Funding Priorities:

Mr. Locke presented current funding priorities for county road and major bridge improvements for concurrence by the Board as we go before County Council to request funding additional through the year. Clark motioned to continue discussion on this agenda item to Wednesday, February 14, 2001 at 11:30 a.m. Holt seconded. Motion carried unanimously.

Bridge #168 Interlocal Agreement:

Mr. Locke requested approval of an Interlocal Agreement between Hamilton County and the Town of Fishers for Bridge #168, 116th Street over Mud Creek. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Request to Advertise:

Annual Bid Category - Aggregates:

Mr. Tom Stevens stated in the annual Highway Department bids there was a single bidder in Category #1

for Aggregates. There were problems with the bid we received geographically and it showed a 23% increase over the lowest bid from last year. Mr. Stevens stated he believes it is in the best interest of the county to rebid this category. Holt motioned to approve. Clark seconded. Dillinger would like Mr. Stevens to call all the possible bidders as well as send out a bid package. Holt and Dillinger approved. Clark opposed. Motion carried.

Bid Award:

Annual Highway Bids:

Mr. Tom Stevens recommend award of the annual highway bids to:

Category 2 - Bituminous Mixes: Award to Marzane, Inc. for area of county west of SR 19 north of SR 32 and west of White River, south of SR 32. Award to E&B Paving, Inc. Stony Creek for remainder of County.

Category 3 - Liquid Asphalt: 3a - Award to Asphalt Material, Inc. plant pick-up. 3b - Award to Marathon Ashland Petroleum.

Category 4 - Pipes/Drainage Structures: 4a - Corrugated Metal Pipe award to St. Regis Culvert, Inc. 4b - Corrugated Metal Pipe Arch award to St. Regis Culvert, Inc. 4d - Structural Plate Pipe award to St. Regis Culvert, Inc. 4e - Structural Plate Pipe Arch award to St. Regis Culvert, Inc. 4f - Aluminum Box Culvert award to St. Regis Culvert, Inc.

Category 5 - Pre-engineered Bridges & Components: 5a - Treated Timber Bridge Structures and Bridge Packages award to American Timber Bridge and Culvert, Inc.

Category 6 - Sheet Signs/Posts: 6a - Sheet Signs award to Hall Signs, Inc. 6b - Sign Posts award to Hall Signs, Inc. 6c - Pressure sensitive letters and numbers award to Hall Signs, Inc.

Category 7 - Salt: award to Young Trucking, Inc.

Category 8 - Pavement Traffic Markings: 8a - Painted Markings award to T&R Pavement Markings, Inc. 8b - Thermoplastic Markings award to T&R Pavement Markings, Inc. 8c - High Durability Performed Markings award to Tri-Mack Barricade. 8d - Polyester Painted Markings award to Chemi-Trol Chemical Company. 8e - Road Survey award to Chemi-Trol Chemical Company.

Category 9 - Weed and Brush Control Chemicals: 9a - Weed and Small Brush Control - Downin's Green Grow, Inc. 9b - Fall Brush Control - award to Downin's Green Grow, Inc. 9c - Reservoir Viaduct Brush Control award to Downin's Green Grow, Inc.

Category 10 - Equipment and Labor: 10a - Equipment with operator award to Chuck Johnson, Inc. 10b - Tree Service award to Vine and Branch, Inc. 10d - Other labor award to Chuck Johnson, Inc.

Category 11 - Gasoline, Fuel & Lubricants: 11a - Gasoline award to Hamilton County Co-op. 11b - On Road Diesel & Blend award to Hamilton County Co-op. 11c - Off Road Diesel & Blend award all of Category 11 to Hamilton County Co-op.

Holt asked if the fuel bid is the same as the Sheriff's fuel bid? Mr. Stevens stated he did not know. Mr. Stevens will research the bids and return with the information later in the meeting. Clark motioned to accept the bids except the gas bids. Holt seconded. Dillinger motioned to table the bid award to later in the meeting. Clark seconded. Motion carried unanimously.

Highway Facilities Report:

Mr. Stevens reported the Highway Department will move into their new facilities on April 2, 2001. Mr. Stevens stated one of the contingency items is the paving of the back lot. The current condition of that lot is poor. Mr. Stevens proposed allowing him to provide manpower and equipment from the Highway

Department to pave that lot. The material would be paid for from the contingency fund. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Highway Auction:

Mr. Stevens stated he has been working with Scott Warner about how we want to leave the existing facilities as we vacate. Mr. Stevens stated he has been researching the antique grader that has been on the highway site since the late 1970's. The grader is not being incorporated into the new facilities. Mr. Stevens proposed this antique grader be offered to the public in auction. Holt asked what is the year of manufacture? Mr. Stevens stated early 1900's. Clark asked if we can take it to the new location? Mr. Stevens stated there is no space for it. Holt asked if this was a highway piece of equipment originally? Mr. Stevens stated it was purchased by the Highway Department and was placed in districts around the county and farmers would use the equipment with their horses to pave the roads. Holt motioned to offer it to Conner Prairie. Clark seconded. Clark and Holt stated they do not want it to leave the county. Holt asked Mr. Stevens to get the information to him and he will contact Conner Prairie. Holt motioned to table. Clark seconded. Motion carried unanimously. Mr. Stevens stated there is a radio tower and he would propose auctioning off the radio tower for dismantling and moving off the property. Clark stated she would like to check with Emergency Management. Mr. Stevens stated there is a treated timber pole building that it could be dismantled and sold at auction. Dillinger stated we will think about that.

Open House:

Mr. Stevens stated they will have an Open House at the new facilities. Dillinger stated we need a ribbon cutting and dedication of the building. Mr. Stevens will keep the commissioners informed.

Dillinger called a break at 3:10 p.m. Dillinger called the meeting back to order at 3:30 p.m.

Bid Opening:

Excess Real Estate:

Dillinger stated the bid opening of excess real estate has been tabled.

Ameritech Fiber Link Contract for Highway Department: (Tape 1, #3511)

Ms. B.J. Casali requested approval of the contract with Ameritech for moving the fiber link to the new highway facilities. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Public Access Room:

Ms. Casali stated due to the new tax system they have to install new computer equipment in the public access room. Several years ago the State Board of Accounts recommended we lock down the equipment for security purposes. Ms. Casali stated she has checked with Buildings and Grounds and they suggested anchoring the tables to the floor. Ms. Casali stated that was not acceptable. She has come up with a proposed configuration, which she presented a drawing of to the commissioners. We would have to purchase a printer stand. She is checking into alternate sources due to the costs of the equipment. Ms. Casali asked that she use the Commissioner's furniture budget to pay for the furniture. Clark motioned that she would be allowed to do that. Holt seconded. Motion carried unanimously.

Plat Amendments for City of Carmel:

Mr. Lloyd Lawrence, City of Carmel, requested approval of three secondary plat amendments for Huntersfield and Village of West Clay. These are to correct street addresses. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Commissioner Committee Reports:

Insurance Committee: (Tape 2, #186)

Mr. John Ditslear, Insurance Committee member, stated currently the county provides \$30,000 of life insurance for each employee. The IRS allows an employer to provide up to \$50,000 without it being taxable to the employee. It is the Insurance Committee's recommendation to have \$50,000 of term insurance benefit for active employees. It would be an additional cost to the County of approximately \$2,900 a month. Mr. Ditslear stated retirees do not have life insurance coverage once they leave county employment. They have an option to convert the coverage which is very expensive. It is a recommendation of the Insurance Committee to provide \$30,000 of life insurance to retirees. It is a recommendation that the retired employee contribute \$10.00 per month along with their health insurance as a contribution towards the life insurance. Dillinger stated the Insurance Committee looked at several options and it is common in retirement life insurance to maintain some life insurance for the retirees. Rather than keeping it a normal rate, most will progress down as they get older. The \$30,000 would be until age 65, at age 70 it will reduce down to 35% to approximately \$21,000 and at age 75 it would drop another 30% to approximately \$15,000 and then remain at that level. Clark asked who pays the premium? Dillinger stated the retiree would pay \$10.00 a month, it would not be an option, if they take the health coverage they would have the life insurance. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Criminal Justice Taskforce:

Captain Dan Stevens presented the scope of study document prepared by the Criminal Justice Task Force, Judges and County Council. Dillinger stated the next step is to prepare an RFP for a consultant. Holt motioned to approve this needs assessment scoping. Clark seconded. Motion carried unanimously. Holt motioned to request Envoy, Inc. to prepare the RFP. Clark seconded. Dillinger stated if there is a charge from Envoy the commissioners will need to know that. Motion carried unanimously.

Sheriff's Annual Gasoline Bid: (Tape 2, #792)

Deputy Farley stated Sheriff Cook recommends acceptance of the gasoline bid from the Hamilton Co-op. Dillinger asked Mr. Stevens what the highway's gasoline bid from the Co-op was? Mr. Stevens stated their bid shows a .23 cents above rack price. Mr. Stevens stated we are using the Co-op's pumps, storage and we are receiving print-outs of our purchases. The Sheriff's Department gasoline is delivered. Holt motioned to approve the Sheriff's gasoline bid. Clark seconded. Motion carried unanimously.

Towne Road Speed Limit:

Sheriff Joe Cook stated the Sheriff's Department has received several requests to lower the speed limit on Towne Road to 40 mph. Deputy Mike Walters stated we have had several complaints of speeding and several accidents on Towne Road from 116th Street to Little Eagle Creek Avenue. We would like to make it all one speed limit. Deputy Walters stated Hanging Tree Golf Course is located on Towne Road, which has two entrances and attracts an influx of traffic on the weekends. There are drainage ditches along the roadway, some of which are deep. The roadway itself is narrow and there has been an increase in construction trucks and school buses. In the year 2000 the Sheriff's Department issued over 200 citations on Towne Road. Calls for service in 2000 were 221. In 2001 there have been 10 calls for service. The stopping distance on Towne Road at 40 mph the reaction time is 1.5 sections you will travel 88'. On wet pavement you travel 119'. On dry pavement you would travel 164' to get stopped. At 50 mph you will travel 295' to stop on wet pavement and 228' on dry pavement. Towne Road has one lane bridges. There are blind driveways and blind intersections. There were 29 vehicle crashes in 1998, 32 crashes in 1999 and 38 crashes in 2000, so far in 2001 we have had 3 crashes. We have had three fatalities along this roadway. The roadway itself is deteriorating. Reducing the speed from 50 mph to 40 mph would increase safety for the public, bicyclists, joggers, drivers, homeowners and reduce the cost to the county concerning lawsuits. Holt asked Deputy Walters if a speed study was done on what people are currently driving? Deputy Walters stated when the speed limit is 40 mph people travel at 50 mph. If the speed limit is 50 mph people travel 60 mph. Along this road we have clocked them at 80 mph and 90 mph. Sheriff Cook stated no speed study has been done. Dillinger stated the things pointed out on this road are not different from other roads in the county, why specifically Towne Road? Sheriff stated he does agree with Dillinger, but since he has driven this road and he believes 40 to 45 mph is a reasonable speed limit for this type of road. Most of the other roads like Towne are 45 mph. Mr. Locke stated as far as the rough

pavement we are aware of it and we put up rough pavement warning signs with supplementary speed plaques. That is on one of our first resurface contracts to take care of that road. With the enforcement right now we have 15% to 20% of the cars running over the existing speed limit and he has a fear that the more we lower the speed limit the more violators we will have. The other issue is that if you do not get rid of the people currently doing 60 and 70 mph and you lower the speed limit you will have people who will comply with the new speed limit and you will still have the speeders and when you have the differential of variable speeds you have an increase of accidents and substantially worse accidents. Unless there is strict enforcement that if you separate those speeds you will have worse accidents on that road. If there is a lower speed limit the bicyclists will assume the people will be driving the lower speed, which is not necessarily the case, unless it is continuously enforced. Mr. Locke stated he would like the opportunity to compare the Sheriff's accident numbers against the highway's accident numbers. Mr. Locke stated the Highway Department does not recommend changing the speed limit. Holt motioned to accept the Sheriff's recommendation and reduce the speed limit to 45 mph from 116th Street to Little Eagle Creek Road. Clark seconded. Clark asked what was the speed limit before it was raised to 50 mph. Mr. Locke stated from 146th to Little Eagle Creek has been posted at 35 mph but there was never an official action. South of 146th was 50 mph. Clark asked what is the width of Towne Road? Mr. Christopher Burt stated it varies, from 116th to 126th is 19', up to Laurel Lakes is 21', then goes down again. Deputy Walters stated it is 17'. Clark asked if we are going to widen it? Mr. Locke stated our resurface program does not have sufficient monies to widen the roads. Clark asked in all the times we have talked about speed limits we have only talked about the average and sometimes it includes driveways if we are in an urban area. We never discuss road width. Mr. Locke stated we look at road width. Clark stated the narrower the road, the more hazardous the road and that would be part of our decision making. Mr. Locke stated as the road gets narrower and the traffic increases you are going to see the average, it is the 85 percentile drop on those speed limits. That is the reason a car will run 70 mph down a gravel narrow road because there is never any oncoming traffic. As soon as there is 500 or 600 cars that speed will come down even with the roads staying the same width. Clark stated that manual we use is a guide line. Mr. Locke stated we have to make our recommendations on the guide lines because it is based on research and what is the most efficient means to sign and put traffic controls on the roadway system. Clark stated she believes when we have urban settings that we need to react accordingly. Motion carried unanimously. Mr. Locke stated he will have the official action to sign at the next meeting. Mr. Locke asked if the roads should be posted before the official action is signed? Mr. Howard stated to start the signs.

Attorney: (Tape 2, #1549)

Bid Opening - Excess Property:

Mr. Howard requested authority to re-advertise for the sale of the excess property. There have been questions on the legal descriptions of the properties. Holt motioned to approve. Clark seconded. Motion carried unanimously. Clark asked that a sign be placed on the property notifying the public that it is for sale.

Ordinance 2-12-01-A:

Mr. Howard requested approval of Ordinance 2-12-01-A, creating an intermittent detention fund for the Hamilton County Community Corrections Center. Clark motioned to suspend the rules. Holt seconded. Motion carried unanimously. Holt motioned to approve Ordinance 2-12-01-A. Clark seconded. Motion carried unanimously.

Ordinance 2-12-01-B:

Mr. Howard requested approval of Ordinance 2-12-01-B, granting a franchise to Aldelphia Business Solutions Operations, Inc., to construct, operate and maintain a telecommunications system in Hamilton County. Holt motioned to suspend the rules. Clark seconded. Motion carried unanimously. Holt motioned to approve Ordinance 2-12-01-B on first reading. Clark seconded. Motion carried unanimously.

Liability Trust Claims:

Mr. Howard requested approval of Liability Trust Claims to American Consulting Engineers - \$2,625.00 and Michael A. Howard - \$2,187.50. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Administrative Assistant:

Riverview Hospital Trustee Board Appointment:

Mr. Fred Swift stated Riverview Hospital will be sending their recommendation for the upcoming vacancy to their Board.

Community Corrections Change Order:

Mr. Swift requested approval of a change order for the Community Corrections Additions and Alterations for a refund of \$3,578.80. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Santa House:

Mr. Swift stated the Historical Society has requested permission to place the Santa House on the Historic Courthouse lawn during the 2001 Christmas season. Holt motioned to approve the placement of the Santa House on the courthouse lawn with the house being removed in a timely manner after the Christmas season. Clark seconded. Motion carried unanimously.

Wage Determination Appointment - Town of Fishers:

Mr. Swift stated the Town of Fishers is requesting Todd Tarbutton as the Commissioner's appointment to their Wage Determination Board for the road improvement project on Allisonville Road. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Community Corrections Board Appointment:

Holt motioned to nominate David Tudor to complete the term of Darren Murphy on the Hamilton County Corrections Board as the Defense Attorney representative. Clark seconded. Motion carried unanimously.

Highway Bid Awards:

Holt motioned to approve the annual Highway Bids, including the gas bid, as recommended by Mr. Stevens. Clark seconded. Clark asked if we received a bid from Hamilton County Co-op? Mr. Stevens stated the Co-op bid for the Highway Department is .23 cents above rack price. The Sheriff's Department receives fuel at their location with a projected usage of 125,000 gallons. The Highway Department's projected usage is 32,000 gallons and we receive the fuel at the vendor's location. The vendor provides the storage, the pump, the accountability paperwork and 24 hours service. Motion carried unanimously.

Auditor:

Liability Trust Claims: (Tape 2, #2155)

Ms. Robin Mills requested approval of Liability Trust Claims for the Sheriff's Department: 1) Stephenson Daly Morow & Kurnik - \$1671.00 and 2) Stephenson Daly Morow & Kurnik - \$1,560.00. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Noblesville Township Poor Relief Quarterly Report:

Ms. Mills requested acceptance of the Noblesville Township Poor Relief Quarterly Report for December

2000. Holt motioned to approve. Clark seconded. Motion carried unanimously.

County Treasurer's Monthly Report:

Ms. Mills requested acceptance of the County Treasurer's Monthly Report for October 2000. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of the Vendor Claims dated February 12, 2001. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Payroll Claims:

Ms. Mills requested approval of the Payroll Claims for the period of January 20, 2001 thru February 3, 2001 to be paid February 16, 2001. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Full Circles Services, Inc.:

Ms. Mills requested approval of an agreement with Full Circle Services, Inc. to collect unclaimed monies found by them for Hamilton County in the amount of \$14,974.20. Holt motioned to approve. Clark seconded. Ms. Mills stated their fee is 10%. Motion carried unanimously.

Attorney for Sheriff's Department:

Dillinger asked Sheriff Cook to address his request for a legal advisor for the Sheriff's Department. Sheriff Cook stated he has requested that a position of Legal Advisor for the Sheriff be added to Tim Garner's duties to assist us with policies, procedures and any in house requests the Sheriff's Department may have. Mr. Howard stated he addressed the Personnel Committee regarding this issue. He is receiving more questions on search and seizure arrest policies and procedures. These are not issues that he can give quick answers to at this time. Mr. Garner will not be going to court or defending the County, which he will represent or be sent to outside counsel. For a due diligence for internal policies and procedures standpoint this will be money well spent. These duties will be added to Tim Garner's existing duties with an additional \$4,000 increase in salary. Clark asked when the communications director does not have this degree do we have to have a new position for the legal advisor? Sheriff Cook stated it is possible the next sheriff would not have this position. Clark asked if in five years will we have to create a new position? Mr. Howard stated that is a possibility, but it would only be permitted by the Personnel Committee, Board of Commissioners and County Council. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Holt motioned to adjourn. Clark seconded. Motion carried unanimously. Meeting adjourned at 4:40 p.m.

Commissioners Correspondence

Sheriff's Legal Advisor Memo from Sheena Randall

Highway Garage Renovation Meeting Minutes

Cole-Evans House National Register of Historic Places

Notice of Public Hearing - Town of Fishers:

116th Street West of Olio Road

Roudebush Hilltop, Inc.

Notice of Public Hearing - City of Noblesville:

SR 32, 1000' east of SR 37

IDEM Notice of Application for Land Application Permit:

Town of Cicero

IDEM Notice of Sewer Permit Application:

YMCA - Fishers

Northpoint, Section Three - Noblesville

Setter's Place - Westfield

Merchant's Pointe Associates - Carmel

IDEM Notice of Appeal Rights:

Weaver Woods North, Section 5 - Fishers

Northeast Commerce Park - Fishers

Kingsborough, Section 4 - Carmel

Sandstone Woods, Section III - Fishers

Sandstone Woods, Section III - Fishers

Ashley Place Apartments - Westfield

Sutton Crossing - Fishers

IDEM 2000 Ozone Season Report

Butler, Fairman & Seufert Letter re: Purdue Road School

Present

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Sharon R. Clark, Commissioner

Robin M. Mills, Auditor

Fred Swift, Administrative Assistant to Commissioners

Kim Rauch, Executive Secretary to Auditor
Michael A. Howard, Attorney
Tom K. Stevens, Highway Director
Les Locke, Highway Engineer
Wayne A. Farley, Sheriff's Deputy
Amy Rayle, Highway Public Service Representative
Virgina Hughes, Administrative Assistant to Highway Engineer
Jim Neal, Highway Project Engineer
Dave Lucas, Highway Inspector
Mark Fisher, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Matt Morasch, Transportation Development Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Engineer
Dustin Tiechner, Highway Assets Manager
Floyd Burroughs, F.E. Burroughs & Assoc., Inc.
Becki Wise, USI Consultants
Emily Pittman, Ledger
Jim Andrews, Mastec Engineers
Jeff Read, MetroXmit
Eric Simons, Village Farms
Joe Cook, Hamilton County Sheriff
Mike Walters, Hamilton County Sheriff's Department
B.J. Casali, ISS Manager
Lawrence Lloyd, City of Carmel

APPROVED:

HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor